

Robert J. Bach, Esq.
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212-867-4455
Attorney for Plaintiff

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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STUART DIAMOND
PLAINTIFF

INDEX NO.:
05 Cv 1937 (PAC)

against

ECF CASE

TREASURERS AND TICKET SELLERS UNION
LOCAL 751 PENSION FUND, THE
TRUSTEES OF THE TREASURERS AND
TICKET SELLERS UNION LOCAL 751
PENSION FUND, AND ROBERT CLEARY.
DEFENDANTS

NOTICE OF CROSS MOTION

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PLEASE TAKE NOTICE THAT upon the accompanying Affirmation of Robert Bach, sworn to on January 19, 2005, and the exhibits attached thereto, the Affirmation of Stuart Diamond and the exhibits attached thereto, the Statement pursuant to Local Rule 56.1, and the memorandum of law, Plaintiff hereby opposes the motion for summary judgment by the Defendants, Treasurers and Ticket Sellers Union Local 751 Pension Fund, The Trustees of The Treasurers and Ticket Sellers Union Local 751 Pension Fund, and Robert Cleary, and will move this Court, before the Honorable Paul A. Crotty at the United States Courthouse, Southern District of New York, 40 Centre Street, Room 2102, New York, NY 10007, for an Order pursuant to Rule 56 of the Federal Rules of Civil Procedure deny

Defendants' Motion for Summary Judgement and granting Plaintiff's Cross Motion for Summary Judgment, and such other relief as the Court may deem just and proper.

A handwritten signature in black ink, appearing to read "Robert Bach", with a long horizontal flourish extending to the right.

Robert J. Bach
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Dated New York, NY
January 20, 2006

To: Myron Rumeld
1585 Broadway
New York, NY 10036